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Attorney Docket No: UCAL-253/02US  
98-041-3

PATENT

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **METHODS AND COMPOUNDS FOR MODULATING NUCLEAR RECEPTOR COACTIVATOR BINDING**

the specification of which:

☐ is attached hereto.

☒ was filed on March 30, 1999, and identified as Attorney Docket No. UCAL-253/02US.

☐ was filed on , as Application Serial No. .

and

☐ the amendment(s) of which were filed on .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) (Country) (Number) (Day/Month/Year Filed)

Priority Claimed (Yes/No)

, ,

Yes

, ,

Yes

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/079,965  
(Application Number)

March 30, 1998  
(Filing Date)

60/113,146  
(Application Number)

December 16, 1998  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Appl. Ser. No.

Filing Date

Status (Pat'd./Pend./Aband.)

I direct that correspondence concerning this application be directed to

COOLEY GODWARD LLP  
Attention: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, California 94306-2155  
Telephone (650) 843-5000.  
Facsimile (650) 857-0663

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of sole or First inventor:** BAXTER, John D.

Inventor's signature John D. Baxter Date 4/8/99

Residence: San Francisco, California

Citizen of: United States of America

Post Office Address: 131 San Pablo Avenue  
San Francisco, California 94127

**Full name of sole or Second inventor:** DARIMONT, Beatrice

Inventor's signature Beatrice D. Darimont Date 4/16/99

Residence: San Francisco, California

Citizen of: Germany

Post Office Address: 1441 Tenth Avenue  
San Francisco, California 94122

**Full name of sole or 2Third inventor:** FENG, Weijun

Inventor's signature Weijun Feng Date 4/16/99

Residence: San Francisco, California

Citizen of: Peoples' Republic of China

Post Office Address: 105 Johnstone Drive  
San Francisco, California 94131

**Full name of sole or Fourth inventor:** FLETTERICK, Robert J.

Inventor's signature Robert J. Fletterick Date April 12, 1999

Residence: San Francisco, California

Citizen of: United States of America

Post Office Address: 15 Christopher Avenue  
San Francisco, California 94131

**Full name of sole or Fifth inventor:** KUSHNER, Peter J.

Inventor's signature

Date

Residence:

San Francisco, California

Citizen of:

United States of America

Post Office Address:

1362 6<sup>th</sup> Avenue  
San Francisco, California 94122

**Full name of sole or Sixth inventor:** WAGNER, Richard L.

Inventor's signature

Date

Residence:

San Francisco, California

Citizen of:

United States of America

Post Office Address:

1701 Waller Street  
San Francisco, California 94117

**Full name of sole or Seventh inventor:** WEST, Brian L.

Inventor's signature

Date

Residence:

San Francisco, California

Citizen of:

United States of America

Post Office Address:

142 Anderson Street  
San Francisco, California 94110

**Full name of sole or Eighth inventor:** YAMAMOTO, Keith R.

Inventor's signature

Date

Residence:

San Francisco, California

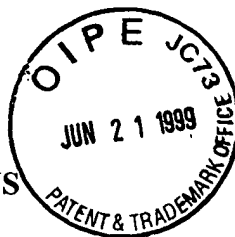
Citizen of:

United States of America

Post Office Address:

332 Douglass Street  
San Francisco, California 94114

#3



Attorney Docket No: UCAL-253/02US  
98-041-3

PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on *June 17, 1999*.

By: *Patricia K. Parry* 6/17/99  
*Patricia K. Parry*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of John D. Baxter, et al.

Serial No.:

Examiner: Not yet assigned

Filed: March 30, 1999

Art Unit: Not yet assigned

For: METHODS AND COMPOUNDS FOR MODULATING NUCLEAR  
RECEPTOR COACTIVATOR BINDING

Assistant Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE AND EXCLUSION OF INVENTORS  
UNDER  
37 CFR 1.36 AND 3.71**

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints:

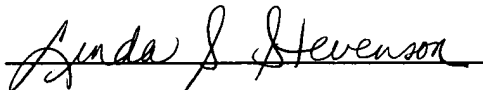
Nina M. Ashton	37,273	Marcella Lillis	36,583
Alexandra J. Baran	39,101	Tom M. Moran	26,314
James A. Bradburne	38,389	Richard L. Neeley	30,092
Aaron S. Brodsky	39,920	Craig P. Opperman	37,078
Shelley P. Eberle	31,411	Marya A. Postner	42,085
Richard M. Goldman	25,585	Gurjeev K. Sachdeva	37,434
Willis E. Higgins	23,025	William E. Winters	42,232
Peter R. Leal	24,226	Kevin J. Zimmer	36,977
Michelle S. Rhyu	41,268	Karen E. Flick	44,111

all of the firm of Cooley Godward LLP, as its attorneys to prosecute this application and to transact all business in the Patent Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of Rule 36 of the Patent Office Rules of Practice.

Please direct all correspondence to:

Cooley Godward LLP  
Attention: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: 650-843-5000

Assignee: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Signature: 

Typed Name: Linda S. Stevenson

Title: Principal Prosecution Analyst

Address: Office of Technology Transfer  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200

Attorney Docket No: UCAL-253/02US  
98-041-3



PATENT

Applicant or Patentee: John D. Baxter, et al.  
Serial No.: 09/281,717 Patent No.:  
Filed: March 30, 1999 Issued:  
For: METHODS AND COMPOUNDS FOR MODULATING NUCLEAR  
RECEPTOR COACTIVATOR BINDING

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) & 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization: University of California  
Address of organization: Office of Technology Transfer  
Office of the President  
1111 Franklin Street, 12<sup>th</sup> Floor  
Oakland, CA 94607-5200

Type of organization:

- ☒ University or other institution of higher education  
☒ Tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)]  
☐ Nonprofit scientific or educational under statute of state or the United States of America  
(Name of state: )  
(Citation of statute: )  
☐ Would qualify as tax exempt under Internal Revenue Service Code [26 USC 501(a) and 501(c)(3)] if located in the United States of America  
☐ Would qualify as nonprofit scientific organization under statute of state of the United States of America if located in the United States of America  
(Name of state: )  
(Citation of statute: )

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 19(e) for purposes of paying reduced fees under 35, United States Code 41(a) or (b) with regard to the invention identified above and described in

☐ the specification filed herewith.

☒ the application identified above.

☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: N/A

Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.



Signature

Linda S. Stevenson.

Date

June 9, 1999

Name of Person Signing

Linda S. Stevenson

Title of person other than owner

Principal Prosecution Analyst

Address of person signing

University of California  
Office of Technology Transfer  
1111 Franklin Street, 5<sup>th</sup> Floor  
Oakland, CA 94607-5200

390231 v1/PA  
8D3R01!.DOC  
052799/1526

ASSIGNMENT

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U.C. Case No. 98-041-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

- |                     |                         |
|---------------------|-------------------------|
| 1. John D. Baxter   | 2. Beatrice Darimont    |
| 3. Weijun Feng      | 4. Robert J. Fletterick |
| 5. Peter J. Kushner | 6. Richard L. Wagner    |
| 7. Brian L. West    | 8. Keith R. Yamamoto    |

hereby sells, assigns and transfers to ASSIGNEE, **The Regents of the University of California**, a California Corporation, having its statewide administrative offices at 1111 Franklin Street, 12<sup>th</sup> Floor, Oakland, CA 94607, and the successors, assigns and legal representatives of the ASSIGNEE, all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

**METHODS AND COMPOUNDS FOR MODULATING NUCLEAR  
RECEPTOR COACTIVATOR BINDING**

and which is found in

- (a) XX U.S. provisional application, filed as Attorney Docket No. UCAL-253/01US on **December 16, 1998**, and listing the above-named persons as inventors.
- (b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above-named persons as inventors.
- (c) \_\_\_\_\_ U.S. application serial no. [ ], filed on [ ].
- (d) \_\_\_\_\_ U.S. Patent No. [ ], issued [ ].

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. Any attorney of record is authorized and

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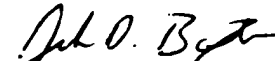
requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

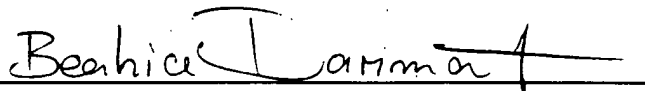
executed this

Signature of Inventor(s)

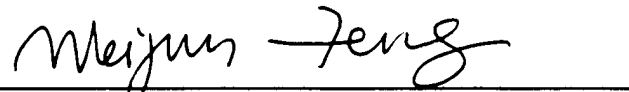
17<sup>th</sup> day of Feb., 1999

  
John D. Baxter

1<sup>st</sup> day of March, 1999

  
Beatrice Darimont

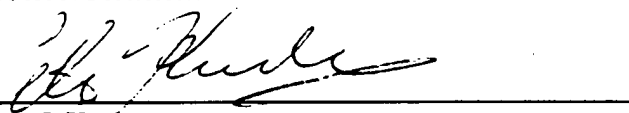
17<sup>th</sup> day of Feb., 1999

  
Weijun Feng

20<sup>th</sup> day of Feb., 1999

  
Robert J. Fletterick


26<sup>th</sup> day of Feb., 1999

  
Peter J. Kushner


24 day of February, 1999

  
Richard L. Wagner

17<sup>th</sup> day of February, 1999

  
Brian L. West

25 day of February, 1999

  
Keith R. Yamamoto

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